



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 3-3330-00184/00001

Renewal Number: 2

05/01/2013

Facility Identification Data

Name: AL TURI LANDFILL & LFGTE FACILITY

Address: 91 HARTLEY RD

GOSHEN, NY 10924

Owner/Firm

Name: AL TURI LANDFILL INC

Address: 73 HARTLEY RD

GOSHEN, NY 10924-9640, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: THOMAS M MILLER

Address: NYSDEC - REG 3

21 S PUTT CORNERS RD

NEW PALTZ, NY 12561-1696

Phone:8452563149

Division of Air Resources:

Name: THOMAS M MILLER

Address: NYSDEC - REG 3

21 S PUTT CORNERS RD

NEW PALTZ, NY 12561-1696

Phone:8452563149

Air Permitting Contact:

Name: SARAH SIMON

Address: AMERESCO LFG-1 INC

111 SPEEN ST

FRAMINGHAM, MA 01701

Phone:5086612231

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

This is Title V Permit Renewal reauthorizing the currently permitted landfill monitoring, recordkeeping and reporting operational requirements. The landfill proper has not changed since the previous Permit Renewal.



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Attainment Status

AL TURI LANDFILL & LFGTE FACILITY is located in the town of GOSHEN in the county of ORANGE.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MODERATE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

The Al Turi Landfill & LFGTE (the "facility") consists of a combined municipal solid waste landfill (the "landfill"), which is owned and operated by Al Turi Landfill, Inc. ("Al Turi") and an adjacent landfill gas to energy plant (the "LFGTE Plant"), which is owned and operated by Ameresco LFG-1, Inc. ("Ameresco"). Pursuant to USEPA March 28, 2005 Reopening for Cause, both the landfill proper and LFGTE plant were consolidated as being recognized as a single facility. This facility is located in Goshen, Orange County and accessed at 2690 route 17M. The landfill source is equipped with a gas collection system which conveys landfill derived gas to the gas to energy source which generates electricity for subsequent sale. The landfill gas to energy source provides the necessary emissions control requirements pursuant to Part 208 which are defined within the Title V permit Renewal 1 No. 3-3330-00184/00002.

This permit Renewal pertains to the landfill and was originally issued a Title V permit August 7, 2002 under DEC ID No. 3-3330-00184/00001.

The landfill is equipped with a gas collection system which conveys landfill derived gas to the LFGTE Plant which generates electricity for subsequent sale. The LFGTE Plant provides the necessary emissions control requirements pursuant to Part 208 which are defined within a separate Title V permit DEC ID No. 3-3330-00184/00002.

The Al Turi Landfill & LFGTE is subject to Title V permitting having a landfill design capacity greater than 2.5 million megagrams, has accepted waste after 11/8/1987, has an estimated default NMOC emission rate of greater than 50 megagrams per year and is a major source for carbon monoxide emissions.



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The landfill emission unit consists of approximately 100 acres of landfill footprint area which began documenting waste acceptance in 1963. In the Fall of 2002, the landfill's solid waste permit expired. The facility is currently at capacity with approximately 5.5 million megagrams of refuse in place. A Part 360 cap or equivalent has been installed over the entire landfill proper. The cap consists of a 40 mil textured High Density Polyethylene liner, a 2 foot protective layer and a 6 inch topsoil cover.

A final closure plan was submitted October 16, 1993 in accordance with the requirements of 360-2.15(c). Acceptance of the plan coincides with the Part 360 solid waste permit renewal issued September 23, 1997.

Installation of landfill gas collection components are complete. This consists of approximately 112 vertical wells, and a series of horizontal collectors, laterals and headers. The gas collection material is constructed of PVC and polyethylene piping. There are two electric 100 horsepower Lamson blowers which provide vacuum to the collection system. Operation of a single blower is sufficient to maintain a vacuum of 70 inches of water on the system. A pressure gauge is located near the blower apparatus. The two blower design provides redundancy. Backup power, if needed, is supplied by an existing diesel fired 100 kw generator (exempt).

NYSDEC Division of Solid and Hazardous Materials approved the design and layout of the Landfill Gas Recover System (LGRS) concurrent with the September 23, 1997 solid waste Part 360 permit renewal. The permit required compliance with 360-2.16 (Landfill Gas Recovery Facilities) and 360-2.15 (a)(2) Explosive Gas Investigation. Furthermore, under the conditions of the permit, Permit Special Condition 17(g) required that the facility submit an updated LGRS Plan annually showing any additions and improvements to the system during the prior year and be a part of the facility Annual Report. This report is reviewed and approved by the Department each year.

Documented landfill gas collected from the landfill proper and conveyed to either the internal combustion engines or enclosed flare are as follows:

2001 - $1,296 \times 10^6$ cf
2002 - $1,041 \times 10^6$ cf
2003 - 889×10^6 cf
2004 - 815×10^6 cf
2005 - 809×10^6 cf
2006 - 700×10^6 cf
2007 - 534×10^6 cf
2008 - 657×10^6 cf
2009 - 635×10^6 cf
2010 - 610×10^6 cf

The gas collection information above represents the most accurate compilation of data available since the change in ownership of the LFGTE Plant to Ameresco LFG-1 Inc.

Predicted landfill gas generation rates, based on LANGEM modeling prepared by DEC, are represented below.

1997 - $1,074 \times 10^6$ cf or 2,043 cfm
1998 - $1,120 \times 10^6$ cf or 2,130 cfm
1999 - $1,065 \times 10^6$ cf or 2,026 cfm
2000 - $1,014 \times 10^6$ cf or 1,929 cfm
2001 - 964×10^6 cf or 1,834 cfm



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2002 - 917×10^6 cf or 1,745 cfm
2003 - 872×10^6 cf or 1,659 cfm
2004 - 830×10^6 cf or 1,579 cfm
2005 - 789×10^6 cf or 1,501 cfm
2006 - 751×10^6 cf or 1429 cfm
2007 - 714×10^6 cf or 1358 cfm
2008 - 679×10^6 cf or 1292 cfm
2009 - 646×10^6 cf or 1229 cfm
2010 - 615×10^6 cf or 1170 cfm
2011 - 585×10^6 cf or 1113 cfm
2012 - 556×10^6 cf or 1058 cfm

The quality of landfill gas varies by season. During the winter months methane concentration range from 47 to 48 %. Spring, Summer and Fall methane concentrations range from 48 to over 50%.

Landfill source personnel conduct informal collection system evaluation daily. This includes measuring oxygen content within header pipes, measuring and adjusting vacuum pressures, measuring methane concentrations and assessing wellhead boot integrities. Depth of water column in a number wellheads are also evaluated by the Al Turi Landfill personnel. To increase gas collection efficiencies, water column is removed from well depths as appropriate to expose larger screen sections. The water removed is handled as leachate and discharged to the onsite permitted water treatment facility. An unofficial log of activities is maintained at the facility.

Control of landfill gas (Renewal 2 permit No. 3-3330-00184/00002) is regulated by the operation of internal combustion engines and an enclosed flare.

Permit Structure and Description of Operations

The Title V permit for AL TURI LANDFILL & LFGTE FACILITY

is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:
combustion - devices which burn fuel to generate heat, steam or power



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incinerator - devices which burn waste material for disposal
control - emission control devices
process - any device or contrivance which may emit air contaminants
that is not included in the above categories.

AL TURI LANDFILL & LFGTE FACILITY is defined by the following emission unit(s):

Emission unit 1LFGAS - This emission unit defines the landfill proper and active landfill gas collection system.

The landfill emission unit consists of approximately 100 acres of landfill footprint area which began documenting waste acceptance in 1963. In the Fall of 2002 the landfill's solid waste permit expired. The facility is currently at capacity with approximately 5.5 million megagrams of refuse in place. A Part 360 cap or equivalent has been installed over the entire landfill proper. The cap consists of a 40 mil textured High Density Polyethylene liner, a 2 foot protective layer and a 6 inch topsoil cover.

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The gas collection information above represents the most accurate compilation of data available since the change in ownership of the LFGTE site to Ameresco LFG-1 Inc.

The quality of landfill gas varies by season. During the winter months methane concentration range from 47 to 48 %. Spring, Summer and Fall methane concentrations range from 48 to over 50%.

Process: GAS Gas collected from the landfill is routed to the LFGTE plant (Permit No. 3-3330-00184/00002) for control. The landfill proper is the associated source and contains the permitted maximum capacity of 5.5 million megagrams of solid waste.

Documented landfill gas collected from the landfill proper and conveyed to either the internal combustion engines or enclosed LFG flare are as follows:

2001 - 1,296 x 10⁶ cf
2002 - 1,041 x 10⁶ cf
2003 - 889 x 10⁶ cf
2004 - 815 x 10⁶ cf
2005 - 809 x 10⁶ cf
2006 - 700 x 10⁶ cf
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Title V/Major Source Status

AL TURI LANDFILL & LFGTE FACILITY is subject to Title V requirements. This determination is based on the following information:

Potential emissions of Carbon Monoxide exceeds major stationary source thresholds.



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Program Applicability

The following chart summarizes the applicability of AL TURI LANDFILL & LFGTE FACILITY with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	NO
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	NO
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.



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Title IV Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code

Description

4931
4953

ELEC & OTHER SERVICES COMBINED
REFUSE SYSTEMS

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information.Each SCC represents

a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code

Description

4-07-999-97

ORGANIC CHEMICAL STORAGE
ORGANIC CHEMICAL STORAGE - MISCELLANEOUS
Specify in Comments

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Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000079-34-5	1,1,2,2-TETRACHLOROETHANE	> 0	but < 10 tpy
000107-06-2	1,2-DICHLOROETHANE	> 0	but < 10 tpy
000078-59-1	2-CYCLOHEXEN-1-ONE, 3,5,5-TRIMETHYL	> 0	but < 10 tpy
000108-10-1	2-PENTANONE, 4-METHYL	> 0	but < 10 tpy
000107-02-8	ACROLEIN	> 0	but < 10 tpy
000071-43-2	BENZENE	> 0	but < 10 tpy
000106-46-7	BENZENE, 1,4-DICHLORO-	> 0	but < 10 tpy
000075-15-0	CARBON DISULFIDE	> 0	but < 10 tpy
000630-08-0	CARBON MONOXIDE	>= 100 tpy	but < 250 tpy
000056-23-5	CARBON TETRACHLORIDE	> 0	but < 10 tpy
000463-58-1	CARBONYL SULFIDE	> 0	but < 10 tpy
000108-90-7	CHLOROBENZENE	> 0	but < 10 tpy
000067-66-3	CHLOROFORM	> 0	but < 10 tpy
000075-09-2	DICHLOROMETHANE	> 0	but < 10 tpy
000071-55-6	ETHANE, 1,1,1-TRICHLORO	> 0	but < 10 tpy
000079-00-5	ETHANE, 1,1,2-TRICHLORO	> 0	but < 10 tpy
000075-34-3	ETHANE, 1,1-DICHLORO-	> 0	but < 10 tpy
000075-00-3	ETHANE, CHLORO	> 0	but < 10 tpy
000100-41-4	ETHYLBENZENE	> 0	but < 10 tpy
0NY100-00-0	HAP	>= 2.5 tpy	but < 10 tpy
000110-54-3	HEXANE	> 0	but < 10 tpy
000542-88-1	METHANE, OXYBIS (CHLORO)	> 0	but < 10 tpy
000078-93-3	METHYL ETHYL KETONE	> 0	but < 10 tpy
0NY998-20-0	NMOC - LANDFILL USE ONLY	>= 50 tpy	but < 100 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 50 tpy	but < 100 tpy



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0NY075-00-0	PARTICULATES	>= 25 tpy but < 40 tpy
000127-18-4	PERCHLOROETHYLENE	> 0 but < 10 tpy
000106-44-5	PHENOL, 4-METHYL	> 0 but < 10 tpy
0NY075-00-5	PM-10	> 0 but < 2.5 tpy
000078-87-5	PROPANE, 1,2-DICHLORO	> 0 but < 10 tpy
000107-13-1	PROPENENITRILE	> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE	>= 50 tpy but < 100 tpy
000108-88-3	TOLUENE	> 0 but < 10 tpy
000079-01-6	TRICHLOROETHYLENE	> 0 but < 10 tpy
000075-01-4	VINYL CHLORIDE	> 0 but < 10 tpy
0NY998-00-0	VOC	>= 25 tpy but < 40 tpy
001330-20-7	XYLENE, M, O & P MIXT.	> 0 but < 10 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)

The Department will make available to the public any permit application, compliance



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plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR 201-6.4(a)(6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item I: Severability - 6 NYCRR Part 201-6.4(a)(9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item J: Permit Shield - 6 NYCRR Part 201-6.4(g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the



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conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item K: Reopening for Cause - 6 NYCRR Part 201-6.4(i)

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time



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period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	54	Powers and Duties of the Department with

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FACILITY	40CFR 63-AAAA.1955 (b)	51	respect to air pollution control
FACILITY	40CFR 63-AAAA.1980 (a)	52	Municipal Solid Waste Landfill NESHAP - General requirements
FACILITY	40CFR 68	19	Recordkeeping and Reports
FACILITY	40CFR 82-F	20	Chemical accident prevention provisions
FACILITY	6NYCRR 200.6	1	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10, 21	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	55	Maintenance of equipment.
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
FACILITY	6NYCRR 201-3.2 (a)	13	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.3 (a)	14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-6	22, 53	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.4 (a) (4)	15	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (c)	3	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Recordkeeping and Reporting of Compliance Monitoring Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	23	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f) (6)	17	Off Permit Changes
FACILITY	6NYCRR 201-6.5 (a)	24	State Enforceable Requirements
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.



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FACILITY	6NYCRR 208.10	49	Specifications for active collection systems
FACILITY	6NYCRR 208.3(b)	25	Standards of Emissions from MSW Landfills
FACILITY	6NYCRR 208.3(b)(2)(iii)	26	NMOC Destruction
FACILITY	6NYCRR 208.3(b)(2)(iii)	27	Active Collection System - Gas Treatment
FACILITY	6NYCRR 208.3(b)(2)(v)	28	Active Collection System - Removal
FACILITY	6NYCRR 208.4(a)	29	Operation Standards - Collection system for Waste-in-Place 2 years or 5 years
FACILITY	6NYCRR 208.4(b)	30	WellHead Monitoring - Pressure
FACILITY	6NYCRR 208.4(c)	31, 32	Wellhead Monitoring
FACILITY	6NYCRR 208.4(d)	33	Methane Monitoring
FACILITY	6NYCRR 208.4(e)	34	Vent Collected Gas to Control System
FACILITY	6NYCRR 208.4(f)	35	Control System
FACILITY	6NYCRR 208.4(g)	36	Corrective Action
FACILITY	6NYCRR 208.5(a)(1)(i)	37	Test Methods and Procedures-NMOC calculation (known waste deposition)
FACILITY	6NYCRR 208.5(b)	38	Test Methods and Procedures - System
FACILITY	6NYCRR 208.6(c)	39	NMOC Emission Rate
FACILITY	6NYCRR 208.6(d)	40	Surface Methane Monitoring
FACILITY	6NYCRR 208.6(d)	40	Instrument Specs for Surface Methane Analyzer
FACILITY	6NYCRR 208.7(a)	41	Monitoring of Operations
FACILITY	6NYCRR 208.8(b)	42	Reporting Requirements
FACILITY	6NYCRR 208.8(d)	43	Reporting Requirements
FACILITY	6NYCRR 208.8(e)	44	Reporting Requirements
FACILITY	6NYCRR 208.8(g)	45	Reporting Requirements
FACILITY	6NYCRR 208.9(a)	46	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(b)	47	Recordkeeping Requirements
FACILITY	6NYCRR 208.9(e)	48	Recordkeeping Requirements
FACILITY	6NYCRR 211.1	50	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions

Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301



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This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.



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6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.4 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.



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6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENDar year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68

This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, AL TURI LANDFILL & LFGTE FACILITY has been determined to be subject to the following regulations:

40 CFR 63.1955 (b)

This condition requires the owner or operator of the landfill to prepare and implement a Startup, Shutdown, Malfunction (SSM) plan for the control device used at the landfill to control the landfill gas. The plan must describe the procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; a program of corrective action for malfunctioning process; and air pollution control and monitoring equipment used to comply with this standard.

40 CFR 63.1980 (a)

This regulation requires the owner or operator of the landfill to submit a report, on a semiannual basis of the following:

- any time the monitoring of wellhead parameters showed exceedances of temperature, pressure or nitrogen and oxygen content



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- description and duration of any gas diversion from the control device
- description and duration when the control device was not operating for more than 1 hour
- all periods when the collection system was not operating for 5 days or more
- location of each exceedance of the 500 ppm standard for surface methane
- date of installation and location of any additional wells for the collection system.

6 NYCRR 201-6.5 (a)

The permit contains a limit of landfill gas combustion to 900×10^6 cf as discussed with USEPA January 19, 2006 and February 13, 2006. This limit provides a significant margin below PSD thresholds while allowing the facility to maximize gas collection. This limit is higher than the maximum current and future landfill gas generation rates as estimated using LandGEM.

6 NYCRR 208.10

6 NYCRR 208.3 (b)

This condition requires the owner or operator of an MSW landfill to submit a landfill design capacity report and a report of the emissions of non-methane organic carbon from the landfill. If the emissions of non-methane organic carbon are less than 50 megagrams/year (55 tpy), the report must be re-submitted annually. If the emissions are greater than 50 megagrams/year, a collection and control system must be installed at the landfill.

6 NYCRR 208.3 (b) (2) (iii) ('b')

This condition requires that the control system achieve a non-methane organic compound (NMOC) destruction efficiency of 98%. The outlet concentration of NMOC from the control system must be less than 20 ppm.

6 NYCRR 208.3 (b) (2) (iii) ('c')

This condition requires that all of the collected gas be sent to a treatment system that processes the collected gas for subsequent sale or use

6 NYCRR 208.3 (b) (2) (v)

This condition sets forth the requirements to be met for removal of the collection and control system. For the system to be removed, the non-methane organic compound emission rate must be less than 50 megagrams per year (55 tons/year) and the system must have been in operation at least 15 years.

6 NYCRR 208.4 (a)

This condition requires the owner or operator of this landfill gas collection system to operate the collection system such that gas is collected from each area, cell or group of cells in the landfill in which solid waste has been in place for 5 years or more if active or 2 years or more if inactive

6 NYCRR 208.4 (b)



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This condition requires that the collection system be operated at negative pressure.

6 NYCRR 208.4 (c)

This condition requires that the temperature of the landfill not exceed 55o C and that the nitrogen content not exceed 20% or the oxygen content not exceed 5%. This is to avoid landfill gas fires or infiltration of ambient air into the system.

6 NYCRR 208.4 (d)

This condition requires that the concentration of methane on the surface of hte landfill be less than 500 parts per million.

6 NYCRR 208.4 (e)

This condition requires that all collected gases are sent to the control system

6 NYCRR 208.4 (f)

This condition requires that the control or treatment system be operated at all times when the collected gas is sent to the system

6 NYCRR 208.4 (g)

This condition requires that the landfill owner or operator take corrective action if the monitoring of the landfill shows any problems with the collection and/or control system.

6 NYCRR 208.5 (a) (1) (i)

This condition contains the equation to be used to determine the emission rate of non-methane organic carbon from the landfill if the annual waste deposition rate is known

6 NYCRR 208.5 (b)

This condition requires the landfill owner or operator to calculate the emission rate of non-methane organic carbon in order to determine when the collection and control system can be removed.

6 NYCRR 208.6 (c)

This condition sets forth the procedures to be used to determine the concentration of methane on the surface of the landfill.

6 NYCRR 208.6 (d)

This condition sets forth the equipment specifications of the analyzer used to determine the concentration of methane on the surface of the landfill.

6 NYCRR 208.7 (a)

This condition sets forth the monitoring requirements for the collection system. The temperature, pressure and either oxygen or nitrogen content of the gas must be checked monthly.



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6 NYCRR 208.8 (b)

This regulation sets forth the requirements for the NMOC emission rate report.

6 NYCRR 208.8 (d)

6 NYCRR 208.8 (e)

6 NYCRR 208.8 (g)

This condition specifies the information required to be included in the performance test report.

6 NYCRR 208.9 (a)

This condition requires the owner or operator of an MSW landfill subject to the provisions of 6 NYCRR Part 208.3(b) to keep for at least 7 years up-to-date, readily accessible, on-site records of the maximum design capacity report which triggered 6 NYCRR Part 208.3(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

6 NYCRR 208.9 (b)

This condition requires the owner or operator of the landfill to keep up-to-date, readily accessible records for the life of the control equipment of the data gathered during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 7 years. Records of the control device vendor specifications shall be maintained until removal.

6 NYCRR 208.9 (e)

This condition requires the owner or operator of the landfill to keep for at least 7 years of up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in 6 NYCRR Part 208.4, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

Compliance Certification



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Summary of monitoring activities at AL TURI LANDFILL & LFGTE FACILITY:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	51	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
FACILITY	21	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	24	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	25	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
FACILITY	27	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
FACILITY	30	work practice involving specific operations
FACILITY	31	work practice involving specific operations
FACILITY	32	work practice involving specific operations
FACILITY	33	work practice involving specific operations
FACILITY	34	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
FACILITY	45	record keeping/maintenance procedures
FACILITY	46	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures

Basis for Monitoring

The Al Turi Landfill & LFGTE facility is subject to all monitoring conditions required by 6NYCRR Part 208 including performance of well head installations, control devices, and perimeter surface methane concentrations. The facility is also subject to 40 CFR 63, NESHAP Subpart AAAA.

The majority of 6NYCRR 208 reporting requirements apply to the operation of the landfill proper and are presented within Title V Permit Renewal 2 DEC ID 3-3330-00184/00001. Requirements applicable to landfill gas control under 6NYCRR 208 are presented within Title V Permit Renewal 2 DEC ID No. 3-3330-000184/00002.

The Al Turi Landfill submitted a letter dated January 27, 2004 addressed to the Department requesting a reduction of surface methane monitoring frequency from quarterly to annually. The request included a compilation of data from six consecutive quarterly monitoring events (200 + locations per event) indicating methane concentrations well below the 500 ppm permitted limit. The Department accepted the reduced frequency as documented by letter dated February 27, 2004.

The permit contains monthly wellhead monitoring for oxygen. Presence of oxygen is an indicator of atmospheric influence on the collection system. Data submitted by the facility indicates operating within the regulatory limit of 5% oxygen is achievable and has not requested regulatory relief. The facility does not utilize nitrogen measurements in lieu of oxygen as a compliance option allowed under Part 208.



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The permit contains a limit of landfill gas combustion to 900×10^6 cf as discussed with USEPA January 19, 2006 and February 13, 2006. This limit provides a significant margin below PSD thresholds while allowing the facility to maximize gas collection. This limit is higher than the maximum current and future landfill gas generation rates as estimated using LandGEM.